

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

LOLLY JOHNSON,)	
)	
Plaintiff,)	
)	
-vs-)	Case No. CIV-18-1180-F
)	
ANDREW M. SAUL, Commissioner)	
of the Social Security Administration, ¹)	
)	
Defendant.)	

ORDER

Plaintiff, Lolly Johnson, commenced this action seeking judicial review of the Commissioner's final decision denying her applications for disability insurance benefits and supplemental security income benefits under Title II and Title XVI of the Social Security Act, 42 U.S.C. §§ 423, 1382. The matter was referred to United States Magistrate Judge Gary M. Purcell in accordance with 28 U.S.C. § 636. On August 15, 2019, Magistrate Judge Purcell issued a Report and Recommendation, recommending that the Commissioner's final decision be affirmed.

The parties have not objected to the Report and Recommendation within the time prescribed by Magistrate Judge Purcell.² Moreover, they have not sought an


¹ On June 17, 2019, Andrew M. Saul was sworn in as Commissioner of the Social Security Administration. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Mr. Saul is substituted for Nancy A. Berryhill, the former Acting Commissioner of the Social Security Administration, as defendant in this action.

² Magistrate Judge Purcell apprised the parties of their right to object to the Report and Recommendation by September 4, 2019 and that a failure to object waives the right to appellate review.

extension of time to object. Consequently, they have waived their right to appellate review of the factual and legal determinations. Vega v. Suthers, 195 F.3d 573, 579 (10th Cir. 1999); United States v. One Parcel of Real Property, 73 F.3d 1057, 1059, 1061 (10th Cir. 1996).

Accordingly, the Report and Recommendation issued by United States Magistrate Judge Gary M. Purcell (doc. no. 20) is **ACCEPTED, ADOPTED** and **AFFIRMED**. The final decision of defendant, Andrew M. Saul, Commissioner of the Social Security Administration, denying plaintiff, Lolly Johnson's applications for disability insurance benefits and supplemental security income benefits under Title II and Title XVI of the Social Security Act, 42 U.S.C. §§ 423, 1382, is **AFFIRMED**. Judgment shall issue forthwith.

IT IS SO ORDERED this 5th day of September, 2019.


STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE